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Docket No. 4555-128.1.1 US

The undersigned certifies that this communication is being deposited with the United States Postal Service as prepaid first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 10, 2005.


Diane Dunn McKay

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*See
Bassler
response*
In re Application of
BASSLER et al.

: Customer No.
: 26817

Serial No. 10/802,425

:
: Group Art Unit: 1614

Filed: March 17, 2004

:
: Examiner: WEDDINGTON, Kevin

Title: COMPOUNDS AND METHODS FOR
REGULATING BACTERIAL GROWTH
AND PATHOGENESIS

: Confirmation No. 3998
:
:
: x

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In a April 29, 2005 Office Action, the Examiner required restriction to one of the following groups:

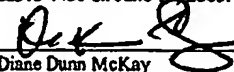
- I. Claims 1-48 are drawn to a method for identifying a compound that regulates the activity of autoinducer-2 and a method of detecting an autoinducer-associated bacterial biomarker, classified in class 435, subclass 7.1.



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Commissioner for Patents
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Alexandria, VA 22313-1450

Sir:

In a April 29, 2005 Office Action, the Examiner required restriction to one of the following groups:

I. Claims 1-48 are drawn to a method for identifying a compound that regulates the activity of autoinducer-2 and a method of detecting an autoinducer-associated bacterial biomarker, classified in class 435, subclass 7.1.

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II. Claims 49-51 are drawn to a method for producing autoinducer-2, classified in class 435, subclass 7.1.

III. Claims 52-64 are drawn to an antibiotic composition comprising an antibiotic and an inhibitor of the quorum-sensing pathway of a microorganism, classified in class 514, subclass 461.

IV. Claims 65-95 are drawn to a pharmaceutical composition and a method of treating infections in a warm-blooded animal with the pharmaceutical composition, classified in class 514, subclasses 31, 192, 199 and 461.

V. Claims 96-98 are drawn to a medical device, classified in class 126, subclass 1+.

Applicants hereby elect with traverse Group I, claims 1-48 drawn to a method for identifying a compound that regulates the activity of autoinducer-2 and a method of detecting an autoinducer-associated bacterial biomarker, classified in class 435, subclass 7.1 for prosecution in this application. Applicants submit that a search of the method of Group I would uncover the methods, compositions or device of Groups II, III and IV. Applicants respectfully request the right to file a divisional application directed to the unelected claims.

A prompt action on the merits is earnestly solicited. The Examiner is invited to telephone the undersigned should he believe this would expedite prosecution of this application. It is believed no fee is required. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,

Dated: June 10, 2005



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